IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLN.NO.642 OF 2007

Suresh Chintaman Mhatre ..Applicant

Vs.

State of Maharashtra ..Respondents

...

Mr. M.S.Mohite advocate for applicant
Mr. Rajesh More A.P.P. for the State

...

CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : MARCH 26, 2007

P.C.

1. Heard the learned advocate for the applicant-original accused no.5 and the learned A.P.P. for the State.

2. The applicant is seeking anticipatory bail in C.R.No.I-228 of 2006 of Mira Road Police Station. The said case is mainly under Sections 380 and 457 of IPC.

3. It is the prosecution case that the accused nos.1 to 4 stole 36 mobiles. Out of the said 36 mobiles, 11 mobiles were sold to the applicant. Theft was committed in July, 2006 and thereafter,

mobile phones were sold to the applicant.

4. Mr.Mohite, the learned advocate for the applicant states that without prejudice to the rights and contentions of the applicant before the trial Court, the applicant is willing to deposit an amount of Rs.30,000/- towards costs of the mobile phones which is approximately between Rs.25,000/- to Rs.30,000/-. As the prosecution was seeking custody of the applicant only for recovery of the mobile phones, in view of the statement, now the prosecution does not seek the custody of the applicant. In this view of the matter, I am inclined to grant anticipatory bail to the applicant.

5. In the event of arrest, the applicant to be released on bail of Rs.20,000/- with one or two sureties to make up the said amount in connection with C.R.No.I-228 of 2006 of Mira Road Police Station.

6. Application is disposed of.

[V.K.Tahilramani, J.]